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**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

In Re:	) BANKRUPTCY CASE NO.: 10-71788
	)
Jesus Edgar Montano,	) Chapter 7
	)
Debtor	) ADVERSARY CASE NO.: 11-04008 WJL
	)
	) <b>DECLARATION OF TESSA MEYER</b>
	) <b>SANTIAGO in support of ORDER ASSIGNING</b>
	) <b>RIGHTS</b>
	)
HERITAGE PACIFIC FINANCIAL, LLC.,	)
d/b/a HERITAGE PACIFIC FINANCIAL,	)
a Texas Limited Liability Company,	)
	)
Plaintiff,	)
	)
v.	)
	)
JESUS EDGAR MONTANO,	)
	)
Defendant.	)

I, TESSA MEYER SANTIAGO, being of sound mind, do hereby declare as follows:

1. I am the attorney for Jesus Montano, defendant in the adversary proceeding, Case No. 11-04008. I have personal knowledge of the following events and will provide testimony if necessary.

2. On June 12, 2013, after proper notice and briefing, the Court held a hearing on the Defendant's Motion for an Order assigning rights pursuant to California Code of Civil Procedure §708.510(a) and Federal Rule of Civil Procedure 69(a) ("Motion"). I represented Mr. Montano,

1 the Defendant and Judgment Creditor. Heritage Pacific Financial did not file a written  
2 opposition to the Motion, and was not represented at the hearing.

3         3.         The Motion requested that an assignment of rights to accounts, accounts  
4 receivables, rights to payment of money, and general intangibles owed and in favor of Heritage  
5 Pacific Financial, LLC (“Heritage Pacific”) from five different groups: financial institutions,  
6 payment processing companies, attorneys, Chapter 13 trustees, and debtors who entered into  
7 settlement agreements with Heritage Pacific.  
8

9         4.         During the hearing, the Court granted the Defendant’s motion as to commercial  
10 entities i.e., the financial institutions and the payment processing companies, and to settling  
11 debtors who were represented by counsel. The Court requested that Defendant’s counsel provide  
12 a mechanism whereby the Court and the obligors could be kept informed of the amount collected  
13 under the order assigning rights (“Order”).  
14

15                 Debtors Represented by Counsel  
16

17         5.         I have personally verified that all the settling debtors included in the proposed  
18 Order are represented by counsel in the adversary proceeding in which the consent judgment was  
19 entered. A table which contains all the debtors identified in the Motion is attached as Exhibit A  
20 to this Declaration. The table keeps the same numbering as used in the Motion, and establishes  
21 whether each settling debtor was represented by counsel in the bankruptcy and/or adversary  
22 proceeding, or whether the debtor proceeded pro se in the bankruptcy and/or adversary  
23 proceeding. If the debtor was represented by counsel, the counsel is identified, as well as the  
24 case in which the counsel represented the debtor.  
25

26         6.         I obtained this information by accessing on PACER the docket report for each  
27 adversary and, if necessary, the underlying bankruptcy case.  
28

1           7.       I have included in this Order only those debtors who were represented by counsel  
2 in their adversary proceeding.

3                   Reporting and Accounting Mechanism

4  
5           8.       In response to the Court's request for a mechanism whereby the Court can be kept  
6 apprised of the monies collected under the order, I propose the following solution: Defendant's  
7 counsel shall submit a status report 30 days from the entry of this Order and every 60 days  
8 thereafter. The status report shall identify 1) the obligor from whom the funds were received, 2)  
9 the date on which the funds were received, 3) the amount of the funds received, and 4) the  
10 amount remaining to be satisfied on the judgment. This status report shall also be served on  
11 Heritage Pacific at 2200 K Avenue, Plano, Texas, 75074.  
12

13           9.       I also propose that in the event the judgment is satisfied through this assignment  
14 order, that Defendant's counsel return within three (3) days any funds received in excess of the  
15 judgment amount.  
16

17           10.      Finally, Defendant's counsel shall file with the Court a satisfaction of judgment  
18 and provide copies to each obligor identified in the Order, and to Heritage Pacific.  
19

20 Sworn this 1st day of July, 2013 under penalty of perjury according to the laws of the state of  
21 Utah.

22 Provo, Utah

/s/ Tessa Meyer Santiago  
Tessa Meyer Santiago, Attorney  
Affiant